



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do **NOT** use for expedited rule making

Agency: Growth Management Hearings Board

XX Preproposal Statement of Inquiry was filed as WSR 10-15-001 ; or

☐ **Expedited Rule Making--Proposed notice was filed as WSR _____; or**

☐ **Proposal is exempt under RCW 34.05.310(4).**

XX Original Notice

☐ **Supplemental Notice to WSR _____**

☐ **Continuance of WSR _____**

Title of rule and other identifying information: (Describe Subject) REPEAL of WAC 242-02 Practice and Procedure Before the Growth Management Hearings Board

Hearing location(s):

Eastern Washington – April 8, 2011 at 11:00 AM

Spokane Public Library – Downtown Branch

906 West Main Avenue

Spokane, WA 99201

Telephone: (509) 444-5300.

Western Washington – May 4, 2011 at 10:30 am

Environmental Hearings Office

1111 Israel Rd. SW, Suite 301

Tumwater, WA 98501

Telephone: (360) 664-9160

Submit written comments to:

Name: Julie Ainsworth-Taylor

Address: 319 – 7th Avenue SE, Suite 103

PO Box 40953 Olympia, WA 98504-0953

e-mail juliet@cps.gmhb.wa.gov

fax (425) 441-8250 by (date) April 29, 2011

Assistance for persons with disabilities: Contact

Paulette Yorke by April 1, 2011 (Eastern WA hearing); April 27, 2011 (Western WA hearing)

Email: paulettey@wwgmhb.wa.gov or (360) 586-0260

Purpose of the proposal and its anticipated effects, including any changes in existing rules: RCW 36.70A.270(7) authorizes the Board to develop and adopt rules of practice and procedure, including rules regarding expeditious and summary disposition of appeals. In 1992, the then-existing three growth management hearings boards adopted joint rules. These rules have been minimally amended since that time. Therefore, the Board has conducted, in conjunction with interested parties, a comprehensive evaluation of its rules and determined that due to the need for extensive modifications, WAC 242-02, the Board's existing rules will be repealed in their entirety and replaced with new rules, WAC 242-03.

Reasons supporting proposal: WAC 242-02 is being repealed in its entirety do to extensive modifications revealed during the Board's comprehensive review process. WAC 242-03 replaces WAC 242-02.

Statutory authority for adoption: RCW 36.70A.270(7)

Statute being implemented: RCW 36.70A

Is rule necessary because of a:

Federal Law?

☐ Yes XX No

Federal Court Decision?

☐ Yes XX No

State Court Decision?

☐ Yes XX No

If yes, CITATION:

DATE

February 15, 2011

NAME (type or print)

James McNamara

SIGNATURE

James McNamara

TITLE

Chair – Rules Committee

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: February 15, 2011

TIME: 3:47 PM

WSR 11-05-086

(COMPLETE REVERSE SIDE)

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Name of proponent: (person or organization) Growth Management Hearings Board

☐ Private
☐ Public
XX Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Julie Ainsworth-Taylor	Olympia, WA	(425) 441-8250
Implementation.....Same		()
Enforcement..... Same		()

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

☐ Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

XX No. Explain why no statement was prepared.

No small business economic impact statement has been prepared under RCW 19.85. The proposed rules only apply to practice and procedure before quasi-judicial boards, the Growth Management Hearings Board.

Is a cost-benefit analysis required under RCW 34.05.328?

☐ Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

XX No: Please explain: A cost-benefit analysis is not required under RCW 34.05.328. The proposed rules only apply to practice and procedure before quasi-judicial boards, the Growth Management Hearings Board.